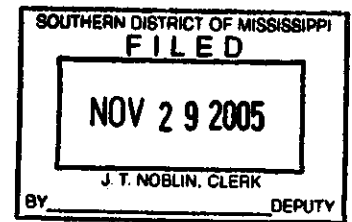


IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION



UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 3:05CR00014HTW

ROYCE DOYLE LEWIS

ORDER

There came on for hearing this day the defendant's motion to enforce Memorandum of Understanding. The Court having heard arguments of parties and having reviewed the Memorandum of Understanding is of the opinion that the Memorandum of Understanding is ambiguous as it relates to the issue of a career offender, and therefore the motion to enforce the Memorandum of Understanding filed by the defendant will be denied.

The defendant's subsequent motion *ore tenus* to withdraw his plea of guilty and proceed to trial is well taken and should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED the defendant's motion to enforce Memorandum of Understanding is hereby denied, and the defendant's motion to withdraw his guilty plea is hereby granted.

IT IS FURTHER ORDERED that this case is set for trial during the
January, 2006 term of Court.

SO ORDERED AND ADJUDGED, this the 29th day of November, 2005.


HENRY T. WINGATE, Chief United
States District Court Judge

Criminal No. 3:05-cr-14 W